

अण्डमान तथा

Andaman And



निकोबार राजपत्र

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No. 136, Port Blair, Thursday, July 20, 2006

**ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT**

NOTIFICATION

Port Blair, dated the 20th July, 2006.

No. 130/06/F.No. 3-346/2002/Labour.—In pursuance of sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Act. No. 14 of 1947) read with Notification No. LR-1(59)/55 dated 13th December, 1955 of the Govt. of India, Ministry of Labour, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby orders for publishing the following Order passed by the Labour Court, Andaman and Nicobar Islands, Port Blair in the matter of an Industrial Dispute between the Executive Engineer, SAD, APWD, Port Blair and its workman Smti Salomi, Daily Rated Mazdoor vide Administration's Notification No. 3-346/02/Labour dated 17/03/2003.

**IN THE COURT OF THE PRESIDING OFFICER
LABOUR COURT**

**ANDAMAN AND NICOBAR ISLANDS
PORT BLAIR**

**Present: Shri M.S. Dwivedy
Presiding Officer, Labour Court,
Port Blair**

I.D. Case No. 5 of 2003.

Smti Salomi

-Versus-

The Executive Engineer, S.A.D., Port Blair.

Serial No. 24 Order dated 18-05-2006.

Order or other Proceeding

Both parties are present.

Today is fixed for evidence.

At this stage a petition jointly signed by both the parties has been filed stating that the dispute involved in the present reference has been amicably settled by and between the parties. It has been stated in the petition that the second party shall reinstate the first party Smti. Salomi as Daily Rated Mazdoor with immediate effect and he assured that her service will be regularized as and when other DRMs are considered for regular appointment against regular vacancies considering her date of initial appointment as 1-06-97. It has further been amicably settled that the first party shall not claim any back wages for the period she remained unemployed.

This is a reference under section 10 read with section 12 of the Industrial Dispute Act, 1947 made by the Lieutenant Governor, A&N Islands, for adjudication of the following dispute :—

"Whether the action of the Executive Engineer, South Andaman Division, APWD, Port Blair in disengaging the services of Smti Salomi, Daily Rated Mazdoor, W/o Late Dirgush Marcus from service with effect from 1-9-2001 is legal and justified ? If not, what relief the concerned workman is entitled to ?"

Now let me examine whether the present dispute can be disposed of on the basis of the compromise petition filed by the parties. The term as disclosed in the compromise petition filed today are unambiguous and the same are acceptable to both the parties. Therefore, there is no ground to proceed with the case and the case can be disposed of in terms of the compromise petition.

Hence,

Ordered

that, the dispute in question is disposed of on compromise in terms of the compromise petition filed by the parties today. The compromise petitions do form part of this award.

Let a copy of this award together with the copy of compromise petition be forwarded to the Lieutenant Governor, Andaman & Nicobar Islands, for favour of his information and necessary action.

Dictated and corrected by me.

Sd/-
Presiding Officer.

By order of the Lieutenant Governor,

Sd/-
(T. Venogopal)
Assistant Secretary (Labour)